

HOUSE BILL 2320

By Holsclaw

AN ACT to amend Tennessee Code Annotated, Title 67,  
Chapter 1, Part 18 and Title 67, Chapter 1, Part 8,  
relative to state tax refunds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-1-1802(c), is amended by adding the following new subdivision:

(4) The commissioner is authorized to enter into an agreement with a taxpayer consenting to a claim for refund being filed beyond the three-year period provided by subsection (a), if the taxpayer affirms on a form prescribed by the commissioner that the taxpayer believes in good faith that the taxpayer's overpayment is the result of negligence or fraud by the taxpayer's accountant or other person upon whom the taxpayer has exclusively relied for the preparation of the taxpayer's returns. In the case of an agreement, the taxpayer may file a claim for refund with the department within the agreed upon period. As used in this subdivision (c)(4), "negligence" and "fraud" have the same meanings as defined in § 67-1-804.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.